

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-54199-2022

Date of Decision:- 23.11.2022

GAGANDEEP SINGH @ GAGAN

....Petitioner.

Vs.

STATE OF PUNJAB

...Respondent.

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Aminder Singh, Advocate for the petitioner.
Mr. Kunwarbir Singh, Assistant A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.223 dated 06.11.2021 under Sections 341/323/34 IPC (Sections 325 and 354 added later on) registered at Police Station Bhawanigarh, District Sangrur.

As per the facts of the case Gurpreet Singh, the complainant gave her statement to the police that on 30.10.2021 he along with his mother Baljit Kaur, sister Manpreet Kaur, aunt Sarabjit Kaur, cousin Mandeep Kaur, grand mother Mukhtiar Kaur, aunt Harbhinder Kaur were sitting in the court yard. At about 5.30 p.m. Hazara Singh, Nachhattar Singh, Sukhpal Kaur, Sapinder Kaur all armed with sticks and Gagan armed with iron rod entered their house. Gagan Singh gave iron rod blow on his right arm. Hazara Singh gave stick blow on his nose, Nachhattar Singh gave stick blow then Mandeep Kaur tried to rescue him. On this Hazara Singh and Sukhpal Kaur gave stick blow, the other family members also tried to rescue them. Gagan Singh also gave beating to his mother. Whereas Spinder also gave beatings to her mother and cousin. Thereafter all of them fled away with their respective weapons. After making arrangement

for conveyance he and his cousin Mandeep Kaur were shifted to the Hospital.

The learned counsel for the petitioner argued that the offence under Sections 325 and 354 IPC were added later on. They have also joined the investigation. The alleged weapon of offence is also recovered from him. He is still ready to cooperate with the investigation. Therefore, his anticipatory bail may be allowed.

The bail application is opposed by learned counsel representing the State. The entire police file is also produced in which there are MLRs of injured Mandeep Kaur and Gurpreet. The offence under Sections 325 and 354 were added later on. As per MLR of Gurpreet he suffered five injuries the grievous injury is on his right wrist. As per the police record the handle of spade is also recovered vide recovery memo dated 08.11.2021. The aforesaid facts clearly indicate that the present petitioner has already joined the investigation and is still ready to cooperate with the police.

Considering these facts, the anticipatory bail filed by the petitioner is allowed. He be not arrested and in case he is arrested by the Investigating Officer, he be released on bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions enshrined under Section 438 (2) Cr.P.C.

23.11.2022
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(AMARJOT BHATTI)
JUDGE

Whether the speaking/reasoned:- Yes/No
Whether the reportable:- Yes/No